

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA)
)
v.)
) **Case No. 3:13-cr-00049-1**
RUSSELL BROTHERS, JR.)
) **Chief Judge Haynes**
)

**MOTION TO CONTINUE TRIAL DATE AND TO ENLARGE TIME FOR FILING
PRETRIAL MOTIONS**

COMES NOW the Defendant, **Russell Brothers, Jr.**, by and through his undersigned counsel, and respectfully requests that this Honorable Court enter an Order: (1) continuing the trial of the above-captioned case from Tuesday, May 21, 2013 at 9:00 a.m. to a later date convenient to the Court and counsel; and, (2) enlarging the time to file pretrial motions to and including Friday, July 26, 2013. In support hereof, Defendant states as follows:

1. The trial of this case is currently scheduled for Tuesday, May 21, 2013 at 9:00 a.m..

This is the first setting for trial.

2. Consistent with this Court's Order (Docket Entry 14), setting the case for trial, undersigned counsel has contemporaneously filed a supporting affidavit stating the reasons for the continuance. At a status conference conducted by the Court on May 6, 2013, the parties announced that the discovery had been produced that day and that the trial would need to be continued.

3. Defendant Brothers has previously filed an appropriate executed *Waiver of Speedy Trial*. (Docket Entry 17).

4. Assistant United States Attorney J. Alex Little has authorized undersigned counsel to report that the government does not oppose this motion.

WHEREFORE, based on the foregoing, Defendant Brothers respectfully requests that this Honorable Court enter an Order: (1) continuing the trial of the above-captioned case from Tuesday, May 21, 2013 at 9:00 a.m. to a later date convenient to the Court and counsel; and, (2) enlarging the time to file pretrial motions to and including Friday, July 26, 2013.

Respectfully submitted,

TUNE, ENTREKIN & WHITE, P.C.
Suite 1700, Regions Center
315 Deaderick St.
Nashville, Tennessee 37238
(615) 244-2770

BY: s:/ Peter J. Strianse
PETER J. STRIANSE
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been sent via the Court's electronic filing system, if registered, or, if unregistered in the Court's system, it has been sent via facsimile and deposited in the United States Mail, postage prepaid, to:

J. Alex Little
Assistant United States Attorney
110 Ninth Avenue South
Suite A961
Nashville, TN 37203-3870

This 20th day of May, 2013.

S:/ Peter J. Strianse
PETER J. STRIANSE